

RESOLUTION NO. 20-127

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING A CHARTER AMENDMENT AND CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS A CANNABIS REGULATION MEASURE ENTITLED CARSON PUBLIC SAFETY MEASURE TO REGULATE CANNABIS OPERATIONS, WHICH REPLACES SECTION 209 (CANNABIS REGULATION; RETAIL DISPENSARY BAN) TO ARTICLE II (POWERS OF THE CITY) OF THE CITY CHARTER; AND, IN ACCORDANCE THEREWITH, REQUESTING THE COUNTY OF LOS ANGELES TO CONSOLIDATE THE SUBMISSION OF THIS MEASURE AT THE CITY'S GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

WHEREAS, on August 4, 2020, the City Council of the City of Carson, pursuant to appropriate state law and under the appropriate provisions of the Charter of the City of Carson, called for the holding of a General Municipal Election to be held on November 3, 2020, and requested consolidation of the same with the Statewide General Election to be held on the same date; and

WHEREAS, the City Council of the City of Carson desires to submit to the voters at a General Municipal Election on November 3, 2020, a ballot measure to consider adopting a Charter Amendment which replaces Section 209 (Cannabis Regulation; Retail Dispensary Ban) to Article II (Powers of the City) of the City Charter ("Retail Cannabis Regulation") and amends/repeals any other inconsistent Ordinance/Resolution therewith previously approved by City Council and approved the submission thereof to the voters at the November 3, 2020, General Municipal Election; and

WHEREAS, approving the CARSON CANNABIS REGULATION MEASURE ENTITLED "CARSON PUBLIC SAFETY MEASURE TO REGULATE CANNABIS OPERATIONS" requires approval of the majority of voters at either a general or special municipal election; and

WHEREAS, the City Council of the City of Carson is authorized by state law and/or City Charter to submit to the voters the foregoing ballot measure, and the City Council therefore wishes to have the voters consider the same at a General Municipal Election to be held on November 3, 2020; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General election to be held on the same date and that within the City of Carson, the precincts, polling places and election officers of the two elections be the same, and that the Los Angeles County Registrar of Voters canvass the returns of the General Municipal Election and the election be held in all respects as if there were only one election;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That pursuant to the requirements of the California Elections Code, Sections 306, 9222 and 1301, there is called and ordered to be held in the City of Carson, California, on Tuesday, November 3, 2020, a General Municipal Election for the purpose of submitting to the voters of the City of Carson a Charter Amendment which replaces Section 209 (Cannabis Regulation; Retail Dispensary Ban) to Article II (Powers of the City) of the City Charter, thereby amending it with this Cannabis Regulation Measure. As required by Elections Code Section 13247, the abbreviated form of the measure to appear on the ballot is specified below in Section 2 of this Resolution. The measure shall be entitled the “CARSON PUBLIC SAFETY MEASURE TO REGULATE CANNABIS OPERATIONS.” The City’s designated elections official is hereby authorized and directed to make any changes to the text of the proposition or this resolution as required to conform to any requirements of law or the Los Angeles County Registrar/Recorder.

Section 2. That the City Council of the City of Carson hereby orders the following measure be submitted to the voters at the aforementioned general municipal election:

CARSON CANNABIS REGULATION MEASURE: “CARSON PUBLIC SAFETY MEASURE TO REGULATE CANNABIS OPERATIONS.” Do you favor cannabis operations consistent with state law, including medical and recreational dispensaries - YES or NO? A YES vote means amending the Carson charter to allow all cannabis operations consistent with state law, including medical and recreational dispensaries. A NO vote means amending the Carson charter to prohibit cannabis operations and forgoing millions of tax dollars for the City’s general fund?	YES
	NO

Section 3. That the text of the Charter Amendment as provided above that is to be submitted to the voters is attached as Exhibit “A” to this Resolution, and the City Council hereby approves the Resolution, the form thereof, and approves its submission to the voters at the November 3, 2020, general municipal election. The City’s designated elections official is hereby authorized and directed to make any changes to the text of the Measure, or this resolution as required to conform to any requirements of law.

Section 4. That the vote requirement for the measure to pass is a majority (50% +1) of the votes cast in favor or against the Measure.

Section 5. That the City’s designated elections official is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

Section 6. That the ballots to be used at the election shall be in form and content as required by law, and that the election shall be held and conducted in the manner prescribed by law.

Section 7. That the City Council authorizes its designated elections official to administer the election and is authorized, instructed, and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

Section 8. Pursuant to California Election Code Section 10242, the polls for the General Municipal Election shall open at seven o'clock a.m. on the day of the election, and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as otherwise provided in California Election Code Section 14401.

Section 9. That in all particulars not recited in this Resolution, the General Municipal Election shall be held and conducted in accordance with the provisions of law regulating municipal and statewide elections.

Section 10. That notice of the time and place of holding the General Municipal Election is hereby given and the City's designated elections official is authorized, instructed and directed to give further or additional notice of the election, in the time, form and manner required by law.

Section 11. That pursuant to Sections 10402 and 10403 of the Elections Code, the Los Angeles County Board of Supervisors is hereby requested to consent and agree to the consolidation of the submission of the aforementioned measure at the General Municipal Election with the election conducted by Los Angeles County to be held on Tuesday, November 3, 2020.

Section 12. That the Los Angeles County Registrar is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

Section 13. That the Los Angeles County Board of Supervisors is requested to issue instructions to the Los Angeles County Registrar to take any and all necessary steps for the holding of this consolidated election.

Section 14. That the City of Carson recognizes that additional costs will be incurred by Los Angeles County by reason of this consolidation and agrees to reimburse Los Angeles County for any costs.

Section 15. That the designated elections official is hereby directed to file a certified copy of this resolution with the Los Angeles County Board of Supervisors and the Los Angeles County Registrar.

Section 16. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions. This Resolution shall be effective immediately upon passage and adoption.

PASSED, APPROVED AND ADOPTED this 4th day of August, 2020.

Albert Robles, Mayor

ATTEST:

Donesia Gause-Aldana, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF CARSON)

I, Donesia Gause-Aldana, City Clerk of the City of Carson, do hereby certify that the foregoing Resolution, being Resolution No. was passed and approved by the City Council of the City of Carson, at a regular meeting of said Council held on August 4, 2020 and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donesia Gause-Aldana, City Clerk